



Box AF

RCE  
1700

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of  
GREFENSTEIN et al.

Serial No. 08/987,775

Filed: December 9, 1997

)  
) Group Art Unit: 1773  
)  
) Examiner: Kruer  
)  
)  
)

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I hereby certify that this correspondence  
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Jason D. Voight

Person Making Deposit

Signature

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

RESPONSE TO NOTICE OF IMPROPER RCE

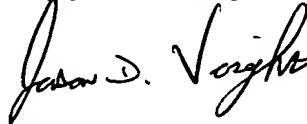
In response to the Notice of Improper Request for Continued Examination (RCE)  
of October 9, 2003, applicants urge that the Notice is erroneous and request withdrawal  
of any holding of abandonment.

The Notice asserts that the RCE under 37 CFR 1.114 filed on June 27, 2003 is  
improper because it was not accompanied by a submission. However, the RCE  
included a proper request for suspension of action for a period of three months (copy  
enclosed) and a submission (copy enclosed) was filed within that period.

Applicants respectfully request early action on this response. No fee should be due.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,  
KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read "Jason D. Voight", written over the firm name.

Jason D. Voight  
Reg. No. 42,205

1350 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 659-0100

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	08/987,775
Filing Date	12/9/97
First Named Inventor	GREFENSTEIN et al
Art Unit	1773
Examiner Name	Kruer
Attorney Docket Number	47587/48070

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition to Suspend Action

2. **Miscellaneous**

- a. ☒ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of three months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0345
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other ANY DEFICIENCY IN FEES
- b. ☒ Check in the amount of \$ 1,810.00 enclosed to cover RCE/3 mo. ext/Petition fees.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Herbert B. Keil	Registration No. (Attorney/Agent)	18,967
Signature	<i>Herbert B. Keil</i>	Date	<i>June 26, 03</i>

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Herbert B. Keil	Date	<i>June 26, 03</i>
Signature	<i>Herbert B. Keil</i>		



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

MAIL STOP RCE

GREFENSTEIN et al. )

Art Unit: 1773

Serial No. 08/987,775 )

Examiner: Kruer

Filed: December 9, 1997 )

For: LAMINATED SHEETS OR FILMS AND MOLDINGS THEREOF

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Person Making Deposit

Signature

Date of Signature

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

PETITION FOR SUSPENSION OF ACTION UNDER 37 CFR § 1.103(c)

Sir:

On behalf of applicants, the undersigned hereby petitions for suspension of action in the above-identified application for a period of three (3) months to provide time for applicants to prepare arguments and to conduct experiments to further prosecute the application.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,  
KEIL & WEINKAUF

  
Wesley E. Shaw

Reg. No. 52,214

1350 Connecticut Ave., N.W.  
Washington, D.C. 20036  
(202)659-0100  
MG/kas



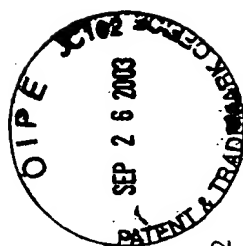
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6/25 Wagner (Mithy) Spec, # Claims in German, IDS 45  
6/25 Glueck 52081, Spec, decl, assign, IDS, P. Amend 941  
6/25 Schief 977, 163 Amend  
6/25 Quensen 719, 975 Amend  
6/25 Quensen 719, 813 Suppl Amend  
JU 6/25 Meek 714191 RCE + Amend 860  
6/26 SOUTOL TM Appln + drawing 335-  
6/26 SOLUTHOR " " 335-  
6/26 Haber 954261 Response  
6/26 Speidel 009857 Amend 110-  
6/26 Fischer 239409 Amend + verified exp. trans fr. doc.  
6/26 Krefenstein 987775 RCE; 3 months, Pet. suspend 1810-  
6/27 Myfect 6552142 Reg. Act. of Correction  
6/27 48 cases assignment Hologram to BPAAG 1920  
6/27 6476105 assignment 40-  
6/27 65028657 assignment 40-  
6/27 Reekam Control/No. 90/006276 Amend + Reply  
6/27 Rung 673136 Response + Decl. on 4th  
6/27 Boettcher 6583286 Cent. Com.  
6/27 Boettcher 398177 Reg. Com. Prg. Ret.  
6/30 Krutin 868, 101 Amend 14 110  
6/30 Deady 10/145, 784 Amend 24 410  
6/30 Luyken PCT/EP 01/006688 For Transmittal Cover Sheet  
6/30 U.S. 5, 533, 234, Det. Decl. IV, Decl. MC, 1 sheet Patent 130  
7/1 Faid Declaration Reinhard 830, 961  
7/1 Kiefer 629, 859 Amend  
7/1 5, 374, 771 Konjacul Patent 7.5 M. Fee 3,690

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September 26, 2003

GREFENSTEIN et al.

SN 08/987,775

RESPONSE

DECLARATION UNDER 1.132

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/987,775	12/09/1999	ACHIM GREFENSTEIN	47587/48070	6702

26474 7590 10/09/2003  
KEIL & WEINKAUF  
1350 CONNECTICUT AVENUE, N.W.  
WASHINGTON, DC 20036

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KEIL & WEINKAUF

EXAMINER

KRUER, KEVIN R

ART UNIT PAPER NUMBER

1773

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



Commissioner for Patents  
United States Patent and Trademark Office

P.O. Box 1450  
Alexandria, VA 22313-1450  
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APPLICATION NUMBER

FILING DATE

FIRST NAMED APPLICANT

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ATTY. DOCKET NO./TITLE

OCT 20 2003

TC 1700

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DATE MAILED:

**NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)**

The request for continued examination (RCE) under 37 CFR 1.114 filed on 6/27/03 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
- ☐ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on \_\_\_\_\_. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☒ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

**Note:** A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date on or after June 8, 1995 will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

**A copy of this notice MUST be returned with any reply.**

Direct the reply and any questions concerning this notice to:

A. G. Gorb, Technology Center 1700  
(703) 308-2406